

SUPREME COURT OF ARIZONA

RENZ JENNINGS, Commissioner,)	Supreme Court
Arizona Corporation Commission,)	No. CV-98-0586-SA
)	
Petitioner,)	
)	
v.)	
)	
J. GRANT WOODS, Attorney General,)	
State of Arizona,)	
)	
Respondent.)	O R D E R
)	
TONY WEST, Arizona Corporation)	
Commissioner Elect,)	
)	
Real Party in Interest.)	
)	

Jennings' motion for reconsideration has been considered by the court, en banc. He seeks to remain in office until the year 2000 under the hold-over provision of the state constitution.

Jennings faces a constitutional barrier which his motion fully ignores. In 1992, by initiative measure, the people adopted article XV, section 1(A) of the state constitution, an explicit mandate imposing term limits specifically on corporation commissioners: "No member of the Corporation Commission shall hold that office for more than one consecutive term." Because Jennings is term-limited, we stated that his "service in office is temporary," being "limited to the time it takes to appoint a qualified successor." To do otherwise would violate the spirit, if not the letter, of constitutional term limits.

The hold-over and term limits provisions of the constitution, read *in pari materia*, lead to a balanced result, reinstating Jennings, but only for as long as it takes the governor to appoint a replacement. To grant a hold-over period for the extended term Jennings seeks would lead, in effect, to conferral of a second consecutive term, a result not permitted by the constitution and not contemplated by the court's opinion. Jennings' reinstatement is temporary.

ORDERED, the motion for reconsideration is DENIED.

DATED this _____ day of June, 1999.

Thomas A. Zlaket, Chief Justice

TO:

Anthony B. Ching, Esq.

Janet Napolitano, Attorney General

Attn: Thomas I. McClory, Esq. and Thomas J. Dennis, Esq.

Thomas K. Irvine, Esq. and Ellen M. Van Riper, Esq., Newmark
Irvine, PA

Steven M. Wheeler, Esq., Martha E. Gibbs, Esq. and Jeffrey G.
Guldner, Esq., Snell & Wilmer

sm